

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER DISASTER SITE
LITIGATION :

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IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION :

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IN RE WORLD TRADE CENTER DISASTER SITE
AND LOWER MANHATTAN DISASTER SITE
LITIGATION :
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ALVIN K. HELLERSTEIN, U.S.D.J.:

USDC SDNY
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ELECTRONICALLY FILED
DOCS
DATE FILED: 3/21/11

**ORDER REGULATING
STIPULATIONS OF
DISMISSAL**

21 MC 100 (AKH)
21 MC 102
21 MC 103

In the weeks following approval of the Settlement Process Agreement, As Amended ("SPA"), counsel for Plaintiffs and Defendants have filed substantial numbers of stipulations of dismissal under Federal Rule of Civil Procedure 41(a). The stipulations do not indicate if they are being filed as part of the settlement procedure to reflect settled cases, or for purposes not provided pursuant to the SPA, or under procedures approved by this Court. I therefore issue the following Order to regulate proceedings.

1. Each stipulation shall indicate if the proposed dismissal reflects a settlement pursuant to the SPA, a voluntary dismissal of a case not previously dismissed, or some other action reflected in the stipulation. Voluntary dismissals of cases shall conform to the Court's orders regarding the terms permissible for such dismissals.
2. Certain Plaintiffs have previously been dismissed by this Court for failure to prosecute their cases. Counsel are now submitting stipulations that purport to convert these dismissals into voluntary dismissals by those Plaintiffs. But Plaintiffs who have been dismissed have no power to affect their cases, except to seek reinstatement. These stipulations are without force. Any such

submissions previously submitted or that I have previously signed are vacated.


Counsel shall, within 2 business days, identify any stipulation previously filed and/or endorsed by the Court that is affected by this Order.

3. Counsel shall ensure that every submission of a multi-page stipulation is properly numbered, in sequential pagination that includes exhibits and appendixes.

SO ORDERED.

Dated:

March 24, 2011
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge